The Myanmar Investment Commission

PERMIT

Permit No. 318/98 Date 29th SEPT.

The Myanmar Investment Commission issues this Permit u

of the Union of Myanmar Foreign Investment Law -

(a) Name of Promoter MR. HU, CHIANG - HO

(b) Citizenship CHINESE

(c) Address FLAT/RM 502, 5/F, HONG LEONG IND. COMPLEX.
4 WANG KWONG RD, KLN BAY, KL, HONG KONG.

(d) Name and address of principal organization LINK FUND
HONG KONG.

(e) Place of incorporation
HONG KONG.

(f) Type of business in which investment is to be made MANUFACTURIN
AND MARKETING OF GARMENTS AND RELATED PRC UCTS.

(g) Place (s) at which investment is permitted PLOT NO. I
MINGALADON INDUSTRIAL PARK, MINGALADON T.

(h) Amount of foreign capital US $ 4.0 MILLION

(i) Period for bringing in foreign capital WITHIN 12 MO
FROM THE DATE OF ISSUANCE OF PEF

(j) Total amount of capital (Kyat) EQUIVALEN
US $ 4.0 1

(k) Permitted duration of investment 50 YEA.

(l) Name of the economic organization to be formed in Myanm
MYANMAR TAH HSIN INDUSTRIAL COMPANY LIMIT

Chair

The Myanmar Inves

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

ခွင့်ပြုမိန့်

၊ အမှတ် ၃၁၈/၉၈ ၁၉၉၈ ခုနှစ်၊ စက်တင်ဘာ လ ၂၉ ရက်။

ာင်စုမြန်မာနိုင်ငံတော် နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၀ အရ ဤခွင့်ပြုမိန့်ကို
းမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည် -

ာမကထပြုသူ၏အမည် MR. HU, CHIANG - HO

မည်သည့်နိုင်ငံသား CHINESE

(က) နေရပ်လိပ်စာ FLAT/RM 502,5/F, HONG LEONG IND, COMPLEX, 4 WANG KWONG RD, KLN BAY, KL, HONG KONG

ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ LINK FUND LIMITED, HONG KONG

(င) ဖွဲ့စည်းရာအရပ် HONG KONG

(စ) ရင်းနှီးမြှုပ်နှံမှုပြုလုပ်မည့်လုပ်ငန်းအမျိုးအစား အသင့်ချုပ်ပြီးအထည်များ ထုတ်လုပ်ဖြန့်ဖြူး ရောင်းချခြင်းလုပ်ငန်း

ရင်းနှီးမြှုပ်နှံမှုပြုလုပ်ခွင့်ပြုသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ်၊ ဒီ-၁ မင်္ဂလာဒုံစက်မှုဇုန်၊ မင်္ဂလာဒုံမြို့နယ်။

နိုင်ငံခြားမတည်ငွေရင်း အမေရိကန်ဒေါ်လာ ၄.၀ သန်း

ဝိုင်း... ည့်ငွေရင်းယူဆောင်လာရမည့်ကာလ ခွင့်ပြုမိန့်ရရှိပြီး (၁၂) လအတွင်း

ာည်ငွေရင်း ပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၄.၀ သန်း နှင့်ညီမျှသော မြန်မာကျပ်ငွေ

ဋ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့်သက်တမ်း ၁၀ နှစ်

မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် စီးပွားရေးအဖွဲ့အစည်းအမည် MYANMAR TAH HSIN INDUSTRIAL COMPANY LIMITED.

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

GOVERNMENT OF THE UNION OF MYANMAR

MYANMAR INVESTMENT COMMISSION

653 / 691, Merchant Street, Yangon.

Our ref : Ya Ka-1/459/98(4734) Tel : 272..

Dated 29th September 1998. Fax : 00..

Subject : **Decision of the Myanmar Investment Commission "Manufacturing and Marketing of Garments and Relate name of "Myanmar Tah Hsin Industrial Co., Ltd.".**

Reference: Ministry of Construction Letter No. 18/Khwe-3/98(C-2468) dated 11-8-98.

1. The Myanmar Investment Commission, at its meeting 15/98 held on 28-8-9 the proposal for investment in "Manufacturing and Marketing of Garments and under the name of "Myanmar Tah Hsin Industrial Co., Ltd." submitted by Link Fund ... Kong as a wholly foreign owned investment.. After careful review, it was deliberated that th proposed project be approved in principle for implementation and the proposal be submitted Cabinet meeting for final approval.

2. The Cabinet, at its meeting 31/98 held on 10-9-98 resolved to permit the impleme the said project. Hence, the "Permit" is herewith issued in accordance with Chapter VI, Sect the Union of Myanmar Foreign Investment Law and Chapter VI, Rule 13 of the Procedures relating to the said Law. Terms and conditions to the "Permit" are stated in the following p

3. The permitted duration of the project shall be 50(Fifty) years. At the end Myanmar Tah Hsin Industrial Co., Ltd. shall transfer the Land to Mingaladon Ind Ltd. within 3(Three) months in good condition, ground damages having been refilled or re

4. Myanmar Tah Hsin Industrial Co., Ltd. shall provide Land ... Premium US $ 645038 (United States Dollars Six Hundred Forty Five Thous of Mingaladon Industrial Park Co., Ltd. in three instalments as follo

(a) the first instalment of US $ 64504 (United States D Hundred Four Only) shall be paid upon signing of Sub-

(b) the second instalment of US $ 322519 (United States Two Thousand Five Hundred Nineteen Only) shall be paid within from the date of issuance of permit.

(c) the final instalment of US $ 258015 (United States Dollars Two Hun Thousand Fifteen Only) shall be paid to Mingaladon Industrial P Myanmar Tah Hsin Industrial Co., Ltd. failing which Mingalado Ltd. shall have the right to terminate the Agreement at its own instalment and the second instalment shall be forfeited.

5. Myanmar Tah Hsin Industrial Co., Ltd. shall pay the annual ground rent on yearly ba rate of US $ 0.30 (United States Dollars Thirty Cents Only) per square meter to the am US $ 3518.39 (United States Dollars Three Thousand Five Hundred Eighteen and Th Ni Only) and the Management Fees and Utility Charges to be paid in acco

conditions of the Mingaladon Industrial Park. The land rent shall be reviewed every 5(F ... the increase of the rent shall not be more than 15(Fifteen) percent of the previous rate.

6. Myanmar Tah Hsin Industrial Co., Ltd. shall provide a security deposit to US $ 3518.39 (United States Dollars Three Thousand Five Hundred Eighteen and T... Only) to the Mingaladon Industrial Park Co., Ltd. on the date of signing of the Sub-Lea...

7. In issuing this "Permit" the Commission has granted the following exem...

(a) As per Section-21(a), exemption from income-tax up to three con... year of commencement of commercial operation.

(b) As per Section-21(b), regarding exemption from income-tax on pr... they are maintained in a reserve fund and re-invested therein with... ...er the reserve is made, Myanmar Tah Hsin Industrial Co., Ltd. shall apply f... ...n exemptio... only after 3-year tax holiday period.

(c) As per Section-21(c), Myanmar Tah Hsin Industrial Co., Ltd. shall be granted accelerate depreciation in respect of machinery, equipment, building or other ... assets used in the business to the extent of the original value for the purp...e of incom... tax assessment. However, Myanmar Tah Hsin Industrial Co., Ltd. shall have to apply to the Commission such rates of depreciation.

(d) As per Section-21(d), relief from income tax up to 50 percent on profit acc... export, such relief has to be applied, upon actual performance, following... holiday period.

(e) As per Section-21(e), Myanmar Tah Hsin Industrial Co., Ltd. shall have the righ... p... income-tax payable to the State on behalf of foreigners who have come ...broad and are employed in the enterprise and the right to deduct such payment fr... ...ble income.

(f) As per Section-21(f), the Commission has also approved the right to pay... the income of the above-mentioned foreigners at the rates applicable to ... residing within the country.

(g) As per Section-21(g), regarding the right to deduct fro... ...assessa... expenses incurred in respect of research and developmen... are actually required and are carried out within the Sta... Co., Ltd. shall apply, upon actual performance of s... programme, only after 3-year tax holiday period.

(h) As per Section-21(h), regarding right to carry forward and se... up to years from the year the loss is sustained following the enjoyment of e... income-tax, Myanmar Tah Hsin Industrial Co., Ltd. shall file the case, Ministry of Finance and Revenue in accordance with Section-4 of Amendment Law, 1991.

(i) As per Section-21(i), exemption from customs duty and all oth... machinery, equipment, instruments, machinery components, spare... used in the business, which are imported as they are actually required ...se th... period of construction.

(j) As per Section-21(j), exemption from customs duty and all other internal taxes o... raw materials and additional import of machinery, equipment and ... actually required for operation of the business shall be grante... commercial operation following the period of construction.

8. Myanmar Tah Hsin Industrial Co., Ltd. shall have to sign Sub-Lease Agreeme Mingaladon Industrial Park Co., Ltd. After signing such Agreement, (5) copies each of have to be forwarded to the Commission.

9. Myanmar Tah Hsin Industrial Co., Ltd., in consultation with the Department Administration, Directorate of Investment and Company Administration shall have to b. After registration, (5) copies each of Certificate of Incorporation and Memorandum a Association shall have to be forwarded to the Commission.

10. Myanmar Tah Hsin Industrial Co., Ltd. shall use its best efforts for works stated in the Proposal. If none of such works has been commenced within date of issue of this "Permit", it shall become null and void.

11. The official date of operation shall be reported to the Commission.

12. Myanmar Tah Hsin Industrial Co., Ltd. shall endeavour to meet the targets for production an export stated in the proposal as the minimum target.

13. The Commission approves periodical appointments of foreign experts and technicians from abroad as per Proposal. Myanmar Tah Hsin Industrial Co., Ltd. shall have to consult with Direct of Labour, Ministry of Labour for appointment of such foreign experts and technicians.

14. In order to evaluate foreign capital in terms of Kyats and for the purpose of its registrati accordance with the provision under Section-24 of the Union of Myanmar Foreign Investment Law, it is compulsory to report as early as possible in the following manner.

   (a) The amount of foreign currency brought into Myanmar, attached wit documents issued by the respective bank where the account is opened.
   (b) The detailed lists of the type and value of foreign capital defined under Se the said Law, other than foreign currency, to the Chairman, Foreign C Evaluati Sub-Committee.

15. Whenever Myanmar Tah Hsin Industrial Co., Ltd. brings in Section 2(h) of the said Law, other than foreign currency in the ma mentioned above, the Inspection Certificate endorsed and issued by Inspection Firm with regard to quantity, quality and price of importe attached.

16. After all types of foreign capital (foreign currency and other types of foreign c been brought into Myanmar, a report shall have to be submitted to the Commissio vide letter No. Na-Ya 9/101/92(416) dated 3-12-92 [Annexure(1)]

17. Myanmar Tah Hsin Industrial Co., Ltd. shall report to the Commission f the physical and financial plan of the project. Cost over-run, over and above the in pledged in both local and foreign currency shall have to be reported as early as possible.

18. Myanmar Tah Hsin Industrial Co., Ltd. shall be responsible for the p environment at and around the area of the project site. Hence, it shall observe t the Commission vide letter No. Ya Ka-1/139/94 (0440) dated 30-6-94 [Annex proper treatment systems and other necessary environmental control systems.

19. Myanmar Tah Hsin Industrial Co., Ltd. shall follow the procedures prescribed b Commission, vide letter No. Ya Ka-7/408/94 (0424) dated 29-6-94 [Annexure(3)] to ex clearance of imports of capital and inter-industry use goods brought in as capital investm materials required during the initial 3-year operation period.

20. Payment of principal and interest of the loan (if any) as well as payment for imp materials and spare parts etc. shall only be made out of the official foreign exchange Myanmar Tah Hsin Industrial Co., Ltd..

21. Myanmar Tah Hsin Industrial Co., Ltd., in consultation with Myanma Ins such types of insurance defined under Chapter VIII, Rule 15 of the Procedures rela of Myanmar Foreign Investment Law.

By Order,

Brig-Gen Maung Maung
Secretary

Mr. Hu, Chiang-Ho
Link Fund Limited

c/o Director General
Department of Human Settlement and Housing Development

cc:
1. Office of the Chairman of State Peace and Development Council
2. Office of the State Peace and Development Council
3. Office of the Government of the Union of Myanmar
4. Office of the Strategic Studies, Ministry of Defence
5. Ministry of National Planning and Economic Development
6. Ministry of Finance and Revenue
7. Ministry of Commerce
8. Ministry of Construction
9. Ministry of Foreign Affairs
10. Ministry of Home Affairs
11. Ministry of Immigration and Population
12. Ministry of Labour
13. Ministry of Electric Power
14. Chairman, Committee for Assisting the Myanmar Investment Comm Central Bank of Myanmar)
15. Chairman, Foreign Capital Evaluation Sub-Committee (Director General, Cen Equipment Statistics and Inspection Department)
16. Director General, Directorate of Investment and Company Administratio
17. Director General, Customs Department
18. Director General, Internal Revenue Department
19. Managing Director, Myanma Foreign Trade Bank
20. Managing Director, Myanma Investment and Commercial Bank

21. Managing Director, Myanma Insurance
22. Managing Director, Myanma Electric Power Enterprise
23. Director General, Directorate of Trade
24. Director General, Immigration and National Registration Department
25. Director General, Directorate of Labour
26. Chairman, Union of Myanmar Chamber of Commerce and Industry